

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2006

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2004

Honorable Members
Twenty-Third Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2004, entitled "A Bill for an Act Relating to Historic Preservation."

The purpose of this bill is to designate a sandbar in Kaneohe Bay as the "Ahu o Laka State Monument" and to regulate the use of the sandbar pursuant to rules to be adopted by the Department of Land and Natural Resources.

This bill is objectionable because it provides unnecessary regulation of an active recreational and historical site in Kaneohe Bay. The bill was introduced in response to an incident that occurred in 2005. There exist sufficient laws to govern activities on the sandbar without converting it to State monument status. The Division of Conservation and Resources Enforcement and the United States Coast Guard have the authority to monitor activities that address safety, security, and sanitation concerns.

Secondly, the ability to define the actual State monument area may be difficult, if not impossible, given the shifting sands and movements during tides. Creating a specific perimeter for the State monument might lead to administrative and legal challenges as to where the monument rules do and do not apply.

The cultural and historic nature of the area continue to be researched by the Department of Land and Natural Resources and others. However, long-standing members of the community, locally elected officials, and community leaders stated that there has not been any discussion prior to this bill to suggest

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that the sandbar should be treated as a State monument. There is community concern that a monument designation may act to the detriment of the area, encouraging visitor guidebooks, websites, and tourist literature to highlight an area that has traditionally been used by residents and those familiar with the Windward Oahu topography.

For the foregoing reasons, I am returning Senate Bill No. 2004 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read 'L. Lingle', with a large, stylized loop at the end.

LINDA LINGLE
Governor of Hawaii